

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PROGRESSIVE SPECIALTY	)	
INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO: 2:06-CV-336-MHT
	)	
DARRYL D. FINCH, et al.,	)	
	)	
Defendants.	)	

**MOTION TO DEEM FACTS ADMITTED**

COMES NOW the plaintiff, Progressive Specialty Insurance Company (“Progressive”), pursuant to Rule 36 of the Federal Rules of Civil Procedure, and requests the court to deem Progressive’s requests for admission admitted:

- 1. Progressive served a request for admissions to the defendants, Darryl D. Finch, individually and as corporate representative of defendant, Darryl D. Finch Enterprises, on November 30, 2006. A copy of the request is attached as Exhibit “A”.
- 2. The defendants have not responded to the request; therefore, the request should be deemed admitted pursuant to Rule 36 of the Federal Rules of Civil Procedure.

/s/ R. Larry Bradford  
R. Larry Bradford, Attorney for Plaintiff,  
Progressive Specialty Insurance Company  
Attorney Bar Code: BRA039

OF COUNSEL:

Bradford & Sears, P.C.  
2020 Canyon Road  
Suite 100  
Birmingham, AL 35216  
(205) 871-7733

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 17th day of January, 2007 served a copy of the foregoing to all attorneys of record by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Mr. Darryl D. Finch  
3347 Wells Road  
Montgomery, Alabama 36108

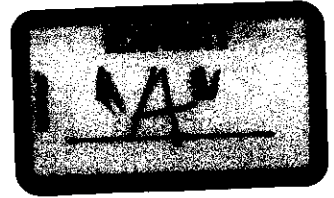
Darryl D. Finch Enterprises, Inc  
P.O. Box 240224  
Montgomery, Alabama 36124

/s/ R. Larry Bradford  
OF COUNSEL

## Discovery Documents

2:06-cv-00336-MHT-DRB Progressive Specialty Insurance Company v. Finch et al (MAG+)

U.S. District Court  
Alabama Middle District



### Notice of Electronic Filing

The following transaction was received from Bradford, Robert entered on 12/4/2006 at 10:42 AM CST and filed on 12/4/2006

**Case Name:** Progressive Specialty Insurance Company v. Finch et al (MAG+)

**Case Number:** 2:06-cv-336

**Filer:** Progressive Specialty Insurance Company

**Document Number:** 21

### Docket Text:

REQUEST for Admissions by Progressive Specialty Insurance Company.(Bradford, Robert)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1053018227 [Date=12/4/2006] [FileNumber=644084-0]  
[2347f5a46a18c3ddf9fbafa7b7d5536baa0baf492501326b3f5bf44a17561ba59f69  
139c3f7b843ed980afc1364fb09c758f95d23bd0629db1760f1f2067515a]]

**2:06-cv-336 Notice will be electronically mailed to:**

Robert Larry Bradford lbradford@bradfordsears.com, mdail@bradfordsears.com

**2:06-cv-336 Notice will be delivered by other means to:**

Darryl D. Finch Enterprises, Inc.  
P.O. Box 240224  
Montgomery, AL 36124

Darryl D. Finch  
P.O. Box 240224  
Montgomery, AL 36124

Bernard Washington  
4782 Burnsdale Way  
Montgomery, AL 36108

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
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PROGRESSIVE SPECIALTY	)	
INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
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v.	)	CIVIL ACTION NO: 2:06-CV-336-MHT
	)	
DARRYL D. FINCH, et al.,	)	
	)	
Defendants.	)	

**REQUEST FOR ADMISSIONS**

COMES NOW the plaintiff, Progressive Specialty Insurance Company, pursuant to Rule 36 of the Federal Rules of Civil Procedure, and requests the defendants to admit the truthfulness of the following facts:

1. Admit that Progressive issued a policy of commercial auto insurance to Finch Enterprises, Inc. which was in effect at the time of this accident.
2. Admit that Bernard Washington (“Washington”) was injured on February 13, 2004 while driving a truck owned by Finch Enterprises, Inc. and insured by Progressive.
3. Admit that Washington made a liability claim against Finch Enterprises and Darryl D. Finch (“Finch”) for his injuries in the accident.
4. Admit that the Progressive policy excluded coverage for bodily injuries to employees of Finch Enterprises.

5. Admit that Washington was an employee of Finch Enterprises at the time of the accident.

6. Admit that the Progressive policy excluded liability coverage for bodily injury to any person driving an insured auto with the permission of the owner.

7. Admit that Washington was injured while driving Finch Enterprises' insured auto with its permission.

8. Admit that Finch Enterprises and Finch are not entitled to liability coverage for any injury claims asserted against them by Washington.

/s/ R. Larry Bradford  
R. Larry Bradford, Attorney for Plaintiff,  
Progressive Specialty Insurance Company  
Attorney Bar Code: BRA039

OF COUNSEL:

Bradford & Sears, P.C.  
2020 Canyon Road  
Suite 100  
Birmingham, AL 35216  
(205) 871-7733

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 30 day of November, 2006 served a copy of the foregoing to all attorneys of record by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

Mr. Darryl D. Finch  
3347 Wells Road  
Montgomery, Alabama 36108

/s/ R. Larry Bradford  
Of Counsel